PATENT APPLICATION	SERIAL	NO.	
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U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

03/04/2002 WABRWAN1 00000017 10081955

01 FC:201

370.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: George Seidel, Lisa Herickhoff, John Schenk		off, John Schenk	
	Serial Number:	New:	(Parent: 09/448,643)
	Filed:	New:	(Parent: 11/24/1999)
	New Title: Multiple Sexe Spermatozoa	ed Embryo Production System	for Mammals Using Low Numbers of
	Parent Title:	Multiple Sexed Embryo Prod	duction System for Mammals
	Group Art Unit:	New:	(Parent: 1655)
	Examiner:	New:	(Parent: Carla J. Myers)
	Assignee:	XY, Inc. and Colorado State State University Research Fo	e University through its agent Colorado oundation

LETTER OF TRANSMITTAL Continuation Application under 35 U.S.C. §§ 111(a) and 120; and 37 C.F.R. § 1.53 (b)

Box Application Commissioner of Patents and Trademarks Washington, D.C. 20231

Sir:

Enclosed for filing is a continuation application under 35 U.S.C. §§111(a) and 120; and 37 C.F.R. §1.53(b) for an invention entitled "Multiple Sexed Embryo Production System for Mammals Using Low Numbers of Spermatozoa", including the following documents:

a. a Preliminary Amendment -- which should be entered prior to calculation of the fee for this application;

- b. an Application Data sheet;
- c. a copy of the Specification of the parent application consisting of (55) pages as originally filed with no new matter added as required pursuant to Rule 1.63(d)(1)(iii). For the convenience of the Office, a cover sheet has been added to the copy to indicate the new caption and title and thus minimize the risk of loss in the event documents are separated from the file;
- d. a copy of (4) four sheets of drawings with no new matter added as required pursuant to Rule 1.63(d)(1)(iii) with the newly attached cover sheet;
- e. a copy of the Declaration for Patent Application as filed in the original application;
- f. a newly executed Declaration for Patent Application of George Seidel, Lisa Herickhoff, and John Schenk pursuant to Rule 1.63(d)(1)(iv) with the newly attached cover sheet;
- g. a true and correct copy of the assignment of patent rights filed in the original application, including the notice of recordation and recording cover sheet recorded on October 19, 1998 to Colorado State University through its agent Colorado State University Research Foundation, recorded at reel/frame: 010090/0936, pursuant to 37 C.F.R. §3.21 and MPEP §306 with the newly attached cover sheet;
- h. a newly executed Assignment of Patent Rights of George Seidel, and a newly executed Assignment of Lisa Herickhoff and John Schenk, along with a recordation cover sheet;
- i. a copy of the original Power of Attorney with the newly attached cover sheet;
- j. an Information Disclosure Citation listing references previously cited in the parent case (pursuant to § 609, MPEP copies are not submitted as they were provided with the parent case);
- k. a check payable to the Commissioner of Patents and Trademarks in the amount of \$450.00, along with an attached fee calculation sheet;
- 1. Express Mail Certificates for each document; and
- m. this Letter of Transmittal and a return postcard receipt.

Please process this application as a continuation application under 35 U.S.C. §§ 111(a) and 120; and 37 C.F.R. 1.53(b) or otherwise as appropriate. Further, it is understood that all the Information Disclosure Statements and cited art from the parent case will be considered during examination of this continuation application. Please confirm receipt of the documents by applying your date stamp and serial number on the enclosed postcard and returning it to me.

It should be noted that small entity status was established in the priority case. Small entity status remains appropriate and is hereby claimed for this application under 37 CFR §1.9. No copies of the documents establishing small entity status in the original case are filed. Pursuant to MPEP 201.06(c) no copy is necessary

PLEASE NOTE: This application is a continuation of United States Patent Application No., 09/448,643 filed on November 24, 1999, now issued as United States Patent No. ______.

Please address all future correspondence to: Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, CO 80521.

Respectfully Submitted,

SANTANGELO LAW OFFICES, P.C.

By:

Craig R. Miles

Attorney for Applicant

PTO No. 45,954

125 South Howes, Third Floor

Fort Collins, CO 80521

(970) 224-3100

		TRADEMARK OFFI	
In Re the App	lication of:	George Seidel, Lisa Herickh	off, John Schenk
Serial Number	r:	New:	(Parent: 09/448,643)
Filed:		New:	(Parent: 12/24/1999)
New Title:	Multiple Sexe Spermatozoa	ed Embryo Production System	n for Mammals Using Low Numbers of
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Group Art Un	nit:	New:	(Parent: 1655)
Examiner:		New:	(Parent: Carla J. Myers)
Assignee:		XY, Inc. and Colorado State State University Research F	e University through its agent Colorado oundation
		CONTINUATION COVER	R SHEET*

IN THE UNITED STATES PATENT AND

FOR

COPY OF PARENT CASE POWER OF ATTORNEY

* This Continuation Cover Sheet is provided for the convenience of Patent Office personnel, to indicate the new caption and title and thus minimize the risk of loss in the event documents are separated from the file.

FEE CALCULATION SHEET USPTO Patent Application

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS ¹	18-20 =	0	x \$18.00 =	\$0.00
INDEP. CLAIMS	1-3 =	0	x \$84.00=	0.00
MULTIPLE DEPE	NDENT CLAIMS (insert	Y or N)	N	0.00
BASIC FEE				740.00
TOTAL OF ABOVE =			740.00	
REDUCTION BY 50 % FOR FILING BY SM ENTITY (insert Y or N)			Y	370.00
ASSIGNMENT (insert Y or N) 2 Assignments @ \$40 each			Y	\$80.00
TOTAL =				\$450.00

¹ TOTAL CLAIMS BASED ON:

18	Numbered claims with:
1	Independent claim: 124
17	Claims dependent on a single claim: 125 - 141
	Claims dependent on two claims
	Claims dependent on three claims
	Claims dependent on four claims
	Claims dependent on five claims
18	TOTAL CALCULATED CLAIMS

Note: Fees based on October 1, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application	on of: George Seidel, Lis	a Herickhoff, John Schenk
Serial Number:	New:	(Parent: 09/448,643)
Filed:	New:	(Parent: 11/24/1999)
	tiple Sexed Embryo Producti rmatozoa	on System for Mammals Using Low Numbers of
(Parent Title: Mul	tiple Sexed Embryo Producti	on System for Mammals)
Group Art Unit:	New:	(Parent: 1655)
Examiner:	New:	(Parent: Carla J. Myers)
Assignee:		orado State University through its agent Colorado esearch Foundation
	CERTIFICATE OF	EXPRESS MAILING
I, Barbara (Graves, hereby certify to the t	ruth of the following items:
1. I an Fort Collins, Color		Law Offices, P.C., 125 South Howes, Third Floor,
of \$450 .00 alo	ng with a fee calculation shee	hed Letter of Transmittal and a check in the amount with the United States Postal Service as "Express ts and Trademarks, Box Application, Washington

Dated this 20th day of February, 2002.

D.C. 20231.

Sarhara Stauer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	George Seidel, Lisa Herickho	off, John Schenk
Serial Number:	New:	(Parent: 09/448,643)
Filed:	New:	(Parent: 11/24/1999)
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Group Art Unit:	New:	(Parent: 1655)
Examiner:	New:	(Parent: Carla J. Myers)
Assignee:	XY, Inc. and Colorado State State University Research F	e University through its agent Colorado oundation
C	ERTIFICATE OF EXPRES	S MAILING
I, Barbara Graves, h	ereby certify to the truth of the	e following items:
1. I am an empl Fort Collins, Colorado 8052		es, P.C., 125 South Howes, Third Floor,
2. I have this da Postal Service as "Express M Application, Washington, D	Mail" for mailing to the Commi	ication Data Sheet with the United States issioner for Patents and Trademarks, Box
Dated this 30 th day of Febru	nary, 2002.	Λ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the App	lication of:	George Seidel, Lisa Herickhoff, John Schenk	
Serial Number	r:	New:	(Parent: 09/448,643)
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Examiner:		New:	(Parent: Carla J. Myers)
Assignee:		XY, Inc. and Colorado State State University Research F	e University through its agent Colorado oundation
I Rari		ERTIFICATE OF EXPRES	
1. Fort Collins,	l am an emple Colorado 8052	- - -	es, P.C., 125 South Howes, Third Floor,
	Service as "Exp	ny deposited the attached a Property of the Con, D.C. 20231.	reliminary Amendment with the United Commissioner of Patents and Trademarks,
Dated this <u>30</u>	day of Februa	ary, 2002.	^

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

		TRADEMAR	K OFFICE
In Re the App	lication of:	George Seidel, Lisa	Herickhoff, John Schenk
Serial Numbe	r:	New:	(Parent: 09/448,643)
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Group Art Ur	nit:	New:	(Parent: 1655)
Examiner:		New:	(Parent: Carla J. Myers)
Assignee:		XY, Inc. and Colora State University Res	ado State University through its agent Colorado search Foundation
	C	ERTIFICATE OF E	XPRESS MAILING
I, Bar	bara Graves, he	ereby certify to the tru	th of the following items:
1. Fort Collins,	I am an empl Colorado 8052		aw Offices, P.C., 125 South Howes, Third Floor,
application c	onsisting of (5) er sheet with the	 pages as originally ne United States Post 	ched a copy of the Specification of the parent filed with no new matter added with the newly al Service as "Express Mail" for mailing to the pplication, Washington, D.C. 20231.
Dated this	day of Febru	ary, 2002.	Л

Sachara Gana

k

Dated this 20 day of February, 2002.

Attorney Docket: XY-Super-Cont2 Express Mail No: EL913300649US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:		George Seidel, Lisa Herickhoff, John Schenk	
Serial Number	r:	New:	(Parent: 09/448,643)
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Examiner:		New:	(Parent: Carla J. Myers)
Assignee:		XY, Inc. and Colorado State State University Research I	te University through its agent Colorado Foundation
	C	ERTIFICATE OF EXPRES	SS MAILING
I, Bar	bara Graves, he	ereby certify to the truth of th	e following items:
1. Fort Collins,	I am an empl Colorado 8052		ces, P.C., 125 South Howes, Third Floor,
2. matter added Mail" for ma D. C. 20231.	with the newly iling to the Cor	attached cover sheet with the	y of (4) sheets of drawings with no new United States Postal Service as "Express ademarks, Box Application, Washington,

Sarhera Shana

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the App	lication of:	George Seidel, Lisa Herickhoff, John Schenk	
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Examiner:		New:	(Parent: Carla J. Myers)
Assignee:		XY, Inc. and Colorado State State University Research Fo	University through its agent Colorado bundation
CERTIFICATE OF EXPRESS MAILING			
I, Bart	oara Graves, he	reby certify to the truth of the	following items:
1. Fort Collins, 0	I am an emplo Colorado 8052	-	es, P.C., 125 South Howes, Third Floor,
	ites Postal Serv		of the original Power of Attorney with ing to the Commissioner for Patents and
Dated this 20th day of February, 2002.			

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: George Seidel, Lisa Herickhoff,		off, John Schenk	
Serial Number	:	New:	(Parent: 09/448,643)
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Examiner:		New:	(Parent: Carla J. Myers)
Assignee:		XY, Inc. and Colorado State State University Research Fo	University through its agent Colorado oundation
I. Bart		ERTIFICATE OF EXPRESS treby certify to the truth of the	

- 1, Barbara Graves, hereby certify to the truth of the following home.
- 1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
- 2. I have this day deposited the attached copy of the original Declaration for Patent Application of George Seidel, Lisa Herickhoff and John Schenk pursuant to Rule 1.63(d)(1)(iv) with the newly attached cover sheet, and a newly executed Declaration for Patent Application of George Seidel, Lisa Herickhoff and John Schenk with the United States Postal Service as "Express Mail" for mailing to the Commissioner of Patents and Trademarks, Box Application, Washington, D.C. 20231.

Dated this 20th day of February, 2002.

Darhara Graner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE George Seidel, Lisa Herickhoff, John Schenk In Re the Application of: (Parent: 09/448,643) New: Serial Number: New:_____ (Parent: 11/24/1999) Filed: Multiple Sexed Embryo Production System for Mammals Using Low Numbers of New Title: Spermatozoa (Parent Title: Multiple Sexed Embryo Production System for Mammals) New:_____ (Parent: 1655) Group Art Unit: (Parent: Carla J. Myers) New: _____ Examiner: XY, Inc. and Colorado State University through its agent Colorado Assignee: State University Research Foundation

CERTIFICATE OF EXPRESS MAILING

- I, Barbara Graves, hereby certify to the truth of the following items:
- 1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.
- 2. I have this day deposited the attached newly executed Declaration for Patent Application of George Seidel, Lisa Herickhoff and John Schenk with the United States Postal Service as "Express Mail" for mailing to the Commissioner of Patents and Trademarks, Box Application, Washington, D.C. 20231.

Dated this 20th day of February, 2002.

Daruara Grauer

Group Art Unit:

Examiner:

Assignee:

Attorney Docket: XY-Super-Cont2 Express Mail No: EL913300649US

			•		
		TRADEM	TATES PATENT AND ARK OFFICE		
In Re the Application of:		George Seidel, Lisa Herickhoff, John Schenk			
Serial Number:		New:	(Parent: 09/448,643)		
Filed:		New:	(Parent: 11/24/1999)		
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(Parent Title:	Multiple Se	exed Embryo Produc	ction System for Mammals)		
Group Art Un	it:	New:	(Parent: 1655)		

CERTIFICATE OF EXPRESS MAILING

State University Research Foundation

I, Barbara Graves, hereby certify to the truth of the following items:

New:

- I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, 1. Fort Collins, Colorado 80521.
- I have this day deposited the attached true and correct copy of the assignment of 2. patent rights filed in the original parent and continuation application, including the notice of recordation and recording cover sheet recorded on October 19, 1998 to Colorado State University through its agent Colorado State University Research Foundation, recorded at reel/frame: 010090/0936 with the newly attached cover sheet with the United States Postal Service as "Express Mail" for mailing to the Commissioner of Patents and Trademarks, Box Application, Washington, D.C. 20231.

Dated this Duday of February, 2002.

Darieare Shaver

(Parent: Carla J. Myers)

XY, Inc. and Colorado State University through its agent Colorado

Attorney Docket:XY-Super

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

George Seidel, Lisa Herickhoff, John Schenk

Serial Number:

09/015,454

Filed:

January 29, 1998

For:

System for Improving Yield of Sexed Embryos in Mammals

Shannon A. Natra-Kanner

Group Art Unit:

1641

Examiner:

Carla Myers

CERTIFICATE OF MAILING

I, Shannon Nation-Kammerer, hereby certify to the truth of the following items:

1. I am an employee of Santangelo Law Offices, P.C., 125 South Howes, Third Floor, Fort Collins, Colorado 80521.

2. I have this day deposited the attached Assignment of Patent Rights of Lisa Herickhoff and John Schenk along with a Recordation Cover Sheet with the United States Postal Service as "First Class Mail", with sufficient postage, for mailing to the Assistant Commissioner for Patents, Box Assignment, Washington, D.C. 20231.

Dated this 26 day of September, 2000.

IN THE UNITED STATES PATENT AND						
TRADEMARK OFFICE						

				ρ		
In Re the Application of: Serial Number:		George Seidel, Lisa Herickho	off, John Schenk (Parent: 09/448,643)	•		
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CONTINUATION COVER SHEET*

FOR

COPY OF PARENT CASE FORMAL DRAWINGS

* This Continuation Cover Sheet is provided for the convenience of Patent Office personnel, to indicate the new caption and title and thus minimize the risk of loss in the event documents are separated from the file.